

D 4308

D 4309

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D 4311

MEMORANDUM ON THE CASE OF  
BOEN DJIE-FO AND TJONG KHIE-TIHONG.  
SECRET - NOT FOR PUBLICATION.

In 1911 an arrangement was arrived at between the Netherlands and the Chinese Governments to the effect that persons born in the Netherlands Colonies from parents established there, will if they travel to China, be considered Netherlands subjects provided they register themselves as such with a Netherlands Consulate within three months upon their arrival in China. The Consular officer concerned gives notice of this registration to the local authorities, at Shanghai to those of the Municipality of Greater Shanghai and of the International Settlement and the French Concession, whilst the Netherlands Legation sends the names of the persons so registered to the Chinese Central Government.

These registrations are effected only after complete documentary evidence has been produced by the applicants in support of their statements.

Some time ago two students (A) Boen Djie-fo alias Wen Tsung (温宗) born at Bikaner, India, 18 years of age and (B) Tjong Khie-tihong alias Chang Kuei-tai (張奇才) born at Hsin-jen, Hubei, 18 years of age, arrived in Shanghai and duly registered themselves for registration at the Netherlands Consulate General at Shanghai. They presented "Verklaringen van Nieuwlanderschap" (Declaration of Naturalization) issued (A) by the head of the local government of Bikaner on 28 May 1912, No. 100, and (B) the same authority at Hsin-jen on 2 June 1912, No. 104, whereas (A) had a passport No. 10 issued by the Consulate at Bikaner on 2 June 1912, stating both in the Dutch and Chinese that he was a Netherlands subject.

These declarations were submitted to the Consulate at Shanghai on 10 June 1912, and the Consulate General at Shanghai issued a certificate of registration on 11 June 1912, No. 100, and a certificate of registration on 11 June 1912, No. 104, and the Consulate General at Shanghai issued a certificate of registration on 11 June 1912, No. 100, and a certificate of registration on 11 June 1912, No. 104.

letters of 18 April 1932 and 12 November 1932, No's 1184 and 3152.

On the 30th of November a certain Boeng San-fong (黃士芳) also a Netherlands' subject, and a student at the Chinan school, arrived at the above Consulate General with a letter from the two boys, written in pencil on Chinese toilet paper, stating that they had been arrested by the Bureau of Public Safety at the request of the school authorities and that they were detained there for about one month. They asked Boeng to notify the Netherlands Consulate, and to borrow some money wherewith to buy food for them.

On the first of December Mr. van den Berg called on Mr. Yui Hung-chun, the secretary of the Mayor, asking him to take immediately the necessary steps to have the boys brought to the Netherlands' Consulate General for hearing and to send at the same time such evidence as could be produced to substantiate the crime for which they had been detained.

Mr. Yui contended that according to the Chinese Nationality Law the boys were Chinese citizens as they could not produce evidence that they had obtained permission to renounce their Chinese nationality.

It was pointed out to him that according to the arrangement made between the former Kai Fu Fu and the Netherlands Minister at Peking in 1911 the Chinese Government had given its formal approval to the procedure whereby regularly lists were to be supplied to the Chinese authorities of those persons who had registered themselves with the Netherlands Consular authorities in China; the Kai Fu Fu's note stated: "It is agreed that the Netherlands will be responsible for the registration of persons in the Netherlands Consulate in China, and the Chinese authorities will be responsible for the registration of persons in the Chinese Consulate in the Netherlands." It was further stated that the Netherlands Consulate in China was to be responsible for the registration of persons in the Netherlands Consulate in China, and the Chinese authorities were to be responsible for the registration of persons in the Chinese Consulate in the Netherlands.

Mr. Yui was told, however, that according to the Chinese Nationality Law, that that law could not override an international agreement.

He nevertheless refused to hand over the boys in question, but promised to ask instructions from Nanking.

Two days later, 3 December, Mr. Bijvanck, then acting Consul-General, called on the Mayor, who assumed the same attitude as Mr. Yui, and also said that he had to await instructions. When asked for what reason the boys were detained, the Mayor stated that they were suspected of efforts to establish a nucleus of the Communist Youth Organisation amongst the students of the Chinese School.

So far however not the slightest evidence to that effect has been produced.

The matter was duly referred to the Netherlands Minister at Peking, who telegraphed the Chinese Government on 9 December, asking that the Shanghai Authorities be instructed to hand over the prisoners immediately to the jurisdiction of the Netherlands Consulate-General, and on 14 December telegraphed again to that effect. Instructions were also received by the Netherlands Consulate General to notify the Mayor of the steps taken by the Netherlands Minister and to protest against the unlawful detention of the boys. On 18 December Mr. Groenman visited the acting Mayor, Mr. Yui, and left him an aide-memoire, by way of formal protest. It was intimated during this visit that the Bureau of Public Safety might release the boys on security. The next day a note was sent to the Netherlands Consulate General, signed by the Mayor stating a.s.f.

- Considering that Sam and Yung are young and helpless
- little to resist, I decided to hand them over to their
- parents for proper education. The Bureau of Public
- Safety was accordingly instructed to grant their release
- under a suitable guarantee for their repatriation.
- Alas, to date, none of them has been handed over to
- the parents of their parents. The said Bureau has not



- reported that the boys have been released under a
- guarantee from the Chinan University."

On 16 December the boys were released and this is the gist of their statements made to the Netherlands Consulate General :

- Mr. Chen Hon-nien, Dean of the Chinan School decided to separate the Middle School from the College, and to have the Middle School split in two branches, one at Canton and one at Soochow, whereas free tuition granted to students taking the Normal Course in the middle school was to be discontinued.

Opposition to this scheme was ~~xxx~~ raised by the students, who were of opinion that the accommodation at Soochow and at Canton was insufficient and that they wished to continue the privilege granted to normal course students. They declared a strike and the school authorities had to give in. Chen was suspected of being one of the ringleaders of the strike and he was therefore suspended from attending the school for a period of one year. He subsequently had to leave the premises of the school and took up his abode at the house of Tjang, who was studying at the Middle School. Tjang had a quarrel with one of his teachers on account of the latter having censured one of the letters he had sent out, and in which he had criticized the school.

On 27 October 1931, Chen, whilst he was on his way home from a visit to the school director, who attended his case, was suddenly arrested by plain clothes detectives from the Bureau of Public Security, bundled into a motor car, and brought to the consular station at Soochow.

He was released on his personal and independent declaration of innocence. All his claims to compensation

subjectship were ignored from the very beginning and he was during all the time of his detention from 27 October till 15 December, only brought once before the Police Court on the 29th of October, when he was asked, when he did join the Communist Party. On answering that he had no knowledge of such a thing he was brought back again to the detention room. "

"Tjong was arrested on 31st October on the premises of the school near the gate in the same abrupt manner, and also brought by motor car to the Central Station. He was also searched and his papers were seized. Likewise his claim to be sent to the Netherlands Consulate General was ignored. On 3 November he was brought before the Police Court, where he was asked whether he had joined the Communist Youth Organisation. He denied all knowledge of such an organisation and was also brought back to the detention room. "

The property of both Deen and Tjong was also seized by the Bureau of Public Safety at their home, but as far nothing has been found on them or otherwise produced which might tend to show that they had any affiliation with the Communist Party. Their property was released only after considerable difficulties, and upon a guarantee from the School.

Both Deen and Tjong upon their release from detention were dismissed from the school.

The letter from the authorities of the School to the Bureau of Public Safety on which their release was effected reads as follows :

" We know that you will permit the release of Deen and Tjong, former students of this school, under guarantee. Therefore we want to know to what the guarantee and to what extent you will allow the boys to be released on that

they can be sent back to their home and handed over to their parents for admonition."

There is no doubt that discipline at the Chinan School is entirely lacking and that the students constitute an unruly lot. Been and Tjong's denial that they had no part in the troubles that were created there is hardly acceptable, but there is no gain-saying the fact that the way in which the school authorities handle the machinery of the Bureau of Public Safety is bound to create a feeling of opposition against all authority and forces hot tempered, badly paid students into the ranks of subversive elements.

Shanghai, 24th December 1932.



No. D 4308

Date 17/12/32

The Shanghai Evening Post & Mercury, Friday, December 16, 1932

## Netherlands Consul General Asks Alleged Reds' Release

Claiming that the two students of the Chinan University, Changhai, arrested by the Bureau of Public Safety as communist suspects, are Dutch citizens, Mr. F. E. H. Groenman, local Consul-General for the Netherlands, lodged a protest with the City Government of Greater Shanghai yesterday afternoon. Their handing over to the Netherlands consular authorities is demanded.

The students, Wen Yu-ho and Chang Chi-tai, are stated to have been born in Java, Netherlands East Indies and are naturalized Dutch citizens. Mr. Groenman pointed out in his document to the City Government, "Arrested several days ago on charges of being communists, they should be handed over to the Netherlands consular authorities inasmuch as they enjoy extraterritorial rights," he contended.

Mr. O. K. Yui, secretary general of the City Government of Greater Shanghai, received Mr. Groenman in the absence of Mayor Wu Tschien, who is attending the Third Plenary Session of the Kuomintang Central Executive Committee in Nanking. Mr. Yui replied that under the Chinese naturalization law, naturalization documents are held invalid unless the subject in question has previously addressed the Ministry of Interior renouncing Chinese citizenship.

In the case of the two students, Mr. Yui continued, the City Government continues to consider them as Chinese citizens until they produce papers showing that their application for renunciation of Chinese citizenship are produced. The students, meanwhile, are being detained at the Bureau headquarters, Nantao, pending the outcome of the negotiations.

*die 8. B.*

*18/12/32*

*Reg. Please attach  
file.*

*17.12.32*

*by attached  
file*

*file  
18/12/32*



4308

12.12.32

December 12 32.

Dear Van den Berg,

I have to inform you that Wen Yu Wao (汪裕和) and Chang Kee Zai (张奇才), two students of the Chinan University, Chenju, who are Netherland subjects, are at present detained in the headquarters of the Public Safety Bureau. The officials of the Public Safety Bureau state that they have no evidence against the two students who were arrested on a charge of being Communists, and suggest that a request be addressed to Mayor Wu Te-shen for their release.

Yours sincerely,

*JMB*

J. Van den Berg, Esq.,

Netherlands Consulate-General.

*Sept. 2nd,*

*Please ascertain the exact time in which these students will be released.*

*JMB*

14.12.32

Boen Djie-p (通裕和) born at  
~~Katoe~~ Djebou, Bante, 16 years.

Sjong Khe-tjhoj (張奇才) born at  
Blinjoe, Bante, 15 years

Colonel Stiles, Bureau Publ Safety  
Batung Hen.

arrested at instigation of Chen Hou men  
sub of as before

鄭洪年 Sean  
China School

Supt. Jan,

The Netherlands Consular  
Authorities would be obliged  
if we could ascertain the  
charge against these boys the  
proof in possession of the Bureau  
of Public Safety, and how  
the matter stands at  
present. Kindly assist  
if possible.

JH  
8:12:32

SHANGHAI MUNICIPAL POLICE.

REPORT

Station,

Date.....19

Subject (in full)

Made by

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- 2 -

3. Peace and Good Order :

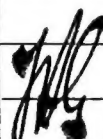
- a) Articles prohibited by the Municipality.
- b) Advertisements of an illegal nature.
- c) Articles sufficient to instigate illegal actions.
- d) Articles sufficient to cause a panic in the community  
thereby disturbing the peace and order.
- || e) Articles insulting to any person in Authority.
- f) Articles on reactionary organizations.

R. W. Mac edie

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S.

Officer i/c Special Branch.

  
9:12:22